

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

**JEFFERY CABE, SEAN FREY, ANITA POTEETE,
RONDA ROHDE, ROBERT SNELL,
JEFFREY MOORE, ELISA TINNELL,
MICHAEL KAP, KAREN ROBERTSON,
JIM WESTRA, JOHNNY RUIZ, ARCHIE ROBINSON,
DECODA KEYS and NORMA MOODY, Each Individually
and on Behalf of All Others Similarly Situated**

PLAINTIFFS

vs.

No. 1:24-cv-1316

**EVERGREEN PACKAGING LLC,
and PACTIV EVERGREEN INC.**

DEFENDANTS

NOTICE OF RIGHT TO JOIN LAWSUIT

FROM: Mr. Josh Sanford
SANFORD LAW FIRM, PLLC
Kirkpatrick Plaza
10800 Financial Centre Parkway, Suite 510
Little Rock, Arkansas 72211
Telephone: (800) 615-4946
Facsimile: (888) 787-2040
E-mail: josh@sanfordlawfirm.com
Attorney for Plaintiff

TO: **All hourly-paid production workers who recorded at least 39 hours in any week since February 15, 2021, except those who joined *Wallace v. Evergreen Packaging, LLC*, Case No. 4:22-cv-337-KGB (E.D. Ark.) and *Woodall v. Evergreen Packaging, LLC*, Case No. 1:23-cv-459 (N. D. Ill.)**

RE: **Unpaid Wages lawsuit against Evergreen Packaging LLC, and Pactiv Evergreen Inc.**

(1) **TIME-SENSITIVE**: Because the right to claim unpaid wages expires after three years, your right to unpaid wages may depend on the date on which you return the enclosed Consent form. YOU DON'T HAVE TO JOIN THIS CASE, BUT IF YOU DON'T, YOU WILL NOT RECEIVE ANY MONEY FROM THIS CASE.

(2) **INFORMATION-ONLY OPTION**: If you do not want to join this lawsuit but you would like information about it as it progresses, and you would like

IMPORTANT: CONSENT FORM DUE BY _____, 2024

regular updates about the case, you can email information@sanfordlawfirm.com to sign up for status reports. You can also call the number below to be added to a case-related mailing list.

(3) INTRODUCTION: The purpose of this notice is to inform you of a pending collective action lawsuit in which you may be a member as a Plaintiff; to advise you of how your rights may be affected by this suit; and to instruct you on the procedure for participating in this suit.

(4) DESCRIPTION OF THE LAWSUIT: Plaintiffs in this case are former hourly-paid production workers for Defendants Evergreen Packaging LLC, and Pactiv Evergreen Inc. ("Defendants"). Plaintiffs filed a lawsuit against Defendants asserting that Defendants violated federal law in failing to pay its hourly-paid production workers correctly. Defendants deny Plaintiffs' claims and allegations. Defendants assert that they complied with the law, and properly compensated all of their production workers.

This case has not been set for trial yet. If the case is not settled between the parties, a trial will be held at the United States District Court for the Northern District of Illinois in Chicago. The Court has not ruled on or decided any of the issues, including the merits of the claims or defenses.

(5) COMPOSITION OF THE CLASS: Plaintiffs seek to sue on behalf of themselves and on behalf of all hourly-paid production workers who recorded at least 39 hours in any week since February 15, 2021, except those who joined *Wallace v. Evergreen Packaging, LLC*, Case No. 4:22-cv-337-KGB (E.D. Ark.) and *Woodall v. Evergreen Packaging, LLC*, Case No. 1:23-cv-459 (N.D. Ill.).

(6) YOUR RIGHT TO PARTICIPATE IN THIS SUIT: If you fit the definition above, you may join this suit (that is, you may opt-in) provided that you file or cause to be filed the attached Consent to Join Collective Action **on or before** _____, **2024**.

Additional Consent to Join forms and information regarding the specific filing requirements are available from Plaintiff's attorney, Josh Sanford, Sanford Law Firm, PLLC, Kirkpatrick Plaza, 10800 Financial Centre Parkway, Suite 510, Little Rock, Arkansas 72211, (800) 615-4946, josh@sanfordlawfirm.com.

(7) EFFECT OF JOINING THIS SUIT: If you choose to join this suit, you will be bound by the judgment whether it is favorable or unfavorable. While the suit is proceeding you may be required to provide information, sit for depositions, and testify in court. You will not be required to pay attorney's fees directly. Plaintiffs' attorney will receive a part of any money judgment or settlement entered in favor of the collective.

IMPORTANT: CONSENT FORM DUE BY _____, 2024

It is important to understand that you are not necessarily entitled to recovery just because you were employed by Defendants as an hourly-paid production worker at some time since February 15, 2021. The Court will make a final decision about whether you are entitled to recover, and for what time period, if any, that you are entitled to recover. The Court has not made those decisions yet.

(8) EFFECT OF NOT JOINING THIS SUIT: If you choose not to join this suit, you will not be affected by the settlement of this case or any judgment, favorable or unfavorable. If you choose not to join this suit, you are free to file your own lawsuit. If you do not join this suit, however, its filing will not stop the running of the statute of limitations (deadlines) applicable to any claims you may have against Defendants within the scope of the suit. If those deadlines expire before you file your own lawsuit, you may lose your rights. Accordingly, if you desire to file your own lawsuit, you should contact an attorney to preserve whatever rights you may have.

(9) COUNSEL FOR THE COLLECTIVE: If you choose to join this suit, the named Plaintiffs through their attorney will represent your interests. Plaintiffs' attorney and the attorney for the collective is:

Mr. Josh Sanford
Sanford Law Firm, PLLC
Kirkpatrick Plaza
10800 Financial Centre Parkway, Suite 510
Little Rock, Arkansas 72211
Telephone: (800) 615-4946
Facsimile: (888) 787-2040
E-mail: josh@sanfordlawfirm.com

You also have a right to hire your own attorney and pursue your potential claims individually. If you sign a Consent to Join you agree that the attorney for the collective will represent you in this case.

(10) FURTHER INFORMATION: Further information about this suit, your rights to join in this action, information about filing a Consent to Join, and additional Consent to Join forms can be obtained by contacting Josh Sanford at (800) 615-4946 or josh@sanfordlawfirm.com.

(11) RETALIATION PROHIBITED: The law prohibits anyone from discriminating or retaliating against you for taking part in this case. If you believe you have been discriminated or retaliated against in any way as a result of your receipt of this notice or election to participate in this lawsuit, you should contact your attorney immediately.

(12) EFFECT OF SEVERANCE: If you are a former employee of Defendants, you should not be discouraged from participating in this lawsuit merely

IMPORTANT: CONSENT FORM DUE BY _____, 2024

because you may have signed a severance agreement or similar release upon or following termination of your employment. The impact that this type of agreement has on any claims you may have against Defendants is an issue to be decided by the Court.

IMPORTANT: CONSENT FORM DUE BY _____, 2024